

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

**FILE:** B-210723

**DATE:** February 22, 1983

**MATTER OF:** Northwest Forest Workers Association

**DIGEST:**

Protest by a trade association that bidder does not have a satisfactory record of integrity is dismissed since protest challenges an affirmative determination of responsibility by the procuring agency, a matter not reviewed by GAO except in circumstances not applicable here.

The Northwest Forest Workers Association protests the award of a contract to Highland Reforestation under solicitation No. R6-3-83-25S, issued by the Department of Agriculture, Forest Service. Basing its protest on an Oregon Bureau of Labor license complaint which it filed against Highland in January 1983, the Association alleges that Highland is a nonresponsible bidder because, among other things, it allegedly employs illegal aliens and does not have a sufficient record of integrity.

Our Office no longer reviews a contracting agency's affirmative determination of responsibility unless there is a showing of fraud on the part of the procuring agency or the solicitation contains definitive responsibility criteria which allegedly have not been applied. Nedlog Co., B-204557, September 21, 1981, 81-2 CPD 235. The protester does not suggest that either exception applies here.

The protest is dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel

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